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on ~~May~~ May 30, 2002

By Victoria A. MacArthur

Attorney Docket No. 0173.210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Wu et al.

Application No.: 10/020,540

Filed: October 30, 2001

For: STRAWBERRY VEIN BANDING
VIRUS (SVBV) PROMOTER

Examiner: Unassigned

Art Unit: Unassigned

STATEMENT ACCOMPANYING
SEQUENCE LISTING

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Sir:

The enclosed paper (written) and substitute CRF (diskette) copy of the Sequence Listing are provided in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("Notice to Comply") and the CRF Problem Report dated May 3, 2002 in the above referenced application. The CRF Problem Report indicated that the CRF diskette originally submitted January 14, 2002 was damaged. A copy of the Notice to Comply and the CRF Problem Report are provided herein.

The undersigned hereby states that the written Sequence Listing submitted concurrently herewith does not include matter which goes beyond the content of the application as filed and that the information recorded on the diskette submitted concurrently herewith is identical to the written Sequence Listing.

Applicants believe that no fee is required for submission of this substitute CRF copy of the Sequence Listing, since it is being submitted within the two-month deadline from the mailing date of the Notice to Comply. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0990. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (650) 298-5884.

Respectfully submitted,

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CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 10/020,540
Filing Date: 10/30/2001
Date Processed by STIC: 3/6/2002

STIC Contact: Mark Spencer, 703-308-4212

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